

BILL NO. S-77-07-28

SPECIAL ORDINANCE NO. S.-4

AN ORDINANCE approving a contract between Commercial Warehouse and Cartage, Inc. and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. The contract dated June 1, 1977, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and Commercial Warehouse and Cartage, Inc. for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to-wit:

2425 American Way, Allen County, Indiana

SECTION 2. The cost to Commercial Warehouse and Cartage, Inc. shall be the sum of \$2,077.74, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Lingo
Councilman

APPROVED AS TO FORM
AND LOCALITY.

GID ATTORNEY

Read the first time in full and on motion by Hinga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 7-26-77

Charles W. Minton
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage.
PASSED (~~Lost~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 8-9-77

Charles W. Minton
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. 2460-77 on the 9th day of August, 1977.
ATTEST: (SEAL)

Charles W. Minton
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock _____ M., E.S.T.

Charles W. Minton
CITY CLERK

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock _____ M., E.S.T.

Rabot E. Christensen
MAYOR

Bill No. S-77-07-28

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract between Commercial Warhouse and Cartage, Inc.

and the City of Fort Wayne, by and through its Department of Public Safety, for
fire protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

William T. Hinga
James S. Stier

Vivian G. Schmidt
Paul M. Burns
Fredrick Hunter

CONCURRED IN

DATE 8-9-77 CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of June, 1977 between the City of Fort Wayne, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety ("CITY"), and Commercial Warehouse and Cartage, Inc. ("Commercial Warehouse").

WHEREAS, Commercial Warehouse is the lessee of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

2425 American Way, Allen County, Indiana

and, WHEREAS, Commercial Warehouse desires to be assured that fire protection by CITY is available at its premises,

NOW, THEREFORE, in consideration of the premises and the agreements of the parties, it is agreed as follows:

1. Upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on said premises of Commercial Warehouse, CITY shall cause the proper firefighting station or stations to send such firefighting equipment, materials, and personnel to Commercial Warehouse premises as it reasonably send to other similar locations within the corporate limits of the CITY.

2. For the firefighting services provided for herein, Commercial Warehouse shall pay to CITY the sum of One and One Thousand Two Hundred Eighty-Nine Dollars (\$1,128.90) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements situated upon the real estate so defined herein, which assessment is hereby agreed to be established at One Hundred Eighty Four Thousand Fifty Dollars (\$184,050.00). Said sum of \$2,077.74 shall be payable upon execution of this contract.

3. CITY shall cause its fire department personnel to inspect said building, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said building, equipment, and facilities and Commercial Warehouse's operations on its premises, so as to determine the types of fire which may reasonably be anticipated on said premises and so as to be able to render service commensurate with existing service conditions.

4. The obligations under this contract shall continue for a period of one year to June 1st, 1978.

5. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

In WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

COMMERCIAL WAREHOUSE AND CARTAGE, INC.

By: Earl P. Rhoades, Pres.

CITY OF FORT WAYNE, INDIANA

By: Robert E. Armstrong
Robert E. Armstrong, Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

Albert N. Hepler
Albert N. Hepler, Chairman

William L. Kerr
William L. Kerr, Member

Solon Jennings
Solon Jennings, Member

I hereby certify that the foregoing contract was ratified and approved by Common Council of the City of Fort Wayne, Indiana on

August 18, 1977.

Charles W. Westerman
Charles W. Westerman, Clerk

N. B. KNAPKE COMPANY, INC.

LEASES - APPRAISALS - PROPERTY - DEVELOPMENT - MANAGEMENT
1510 LINCOLN BANK TOWER - FORT WAYNE, INDIANA 46802 - 219/424-1690

Realtors



June 16, 1977

Mr. John C. Lewton
Executive Secretary
City of Fort Wayne
Department of Public Safety
Fort Wayne, Indiana 46802

Dear Mr. Lewton:

Pursuant to your letter of May 23, enclosed are two executed contracts by Commercial Warehouse and Cartage, Inc. having to do with the Fire Protection Contract on the former American Thread Building.

After you have obtained the necessary signatures from the City of Fort Wayne, kindly return one copy to us.

Cordially yours,


NORBERT B. KNAPKE

NBK/lpp

Enclosure

Admn. Appr. _____

DIGEST SHEET

S-77-07-28

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE Office of Emergency Services

SYNOPSIS OF ORDINANCE A fire contract with Commercial Warehouse and Cartage,

Inc. for fire protection on their building which is located outside
of the city limits.

EFFECT OF PASSAGE The city receives \$2,077.74 which will be used for the

purchase of Fire equipment.

EFFECT OF NON-PASSAGE The city will lose \$2,077.74.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$2,077.74 revenue to the City.

Thorne
ASSIGNED TO COMMITTEE (PRESIDENT) _____